

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed August 3, 2006. Claims 13-32 are preliminarily rejected under 35 USC§102 as being anticipated by U.S. Patent No. 3,515,416 to Pickert. The Applicant traverses the rejections to claims 13-32. Reconsideration and allowance of the subject application and presently pending claims 13-32 is respectfully requested.

I. Response to Claim Rejections based on Anticipation

In the Office Action, claims 13-32 are preliminarily rejected under 35 USC§102 as being anticipated by U.S. Patent No. 3,515,416 to Pickert. For a proper rejection of a claim under 35 USC§102(b), the cited reference must disclose all elements/features/steps of the claim. See, *e.g.*, E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co., 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

A. Claim 13

The rejection of claim 13 is in error. Claim 13 includes a limitation of a lap joint circumferentially connecting two halves of the first clamp members with a fastening member. Pickert fails to disclose a lap joint circumferentially connecting two halves of the first clamp members with a fastening member. Thus, Pickert cannot be said to anticipate claim 13.

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B. Claims 14-20

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The Applicant respectfully submits that since claims 14-20 depend on independent claim 13, claims 14-20 contain all limitations of independent claim 13. Since independent claim 13 should be allowed, as argued above, pending dependent claims 14-20 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q. 2d 1596, 1608 (Fed. Cir. 1988).

C. Claims 15 and 17

Claims 15 and 17 depend from claim 13 and deserve to be allowed for at least the reasons that claim 13 should be allowed. Further, claim 15 is limited to a bead on the first clamp member that *engages* the groove on the first vacuum flange and claim 17 is limited to a bead on the second clamp member that *engages* the groove on the second vacuum flange. The elements of Pickert that the Examiner refers to as the bead (element 24) and the groove (element 15a) do not engage. The surfaces 24 define a circular cylindrical wall which bears against the outer peripheral surface 15b on swivel 15. Specifically, without coupling the first clamp member to a second clamp member or a body pad (see FIG. 1 of Pickert), the first clamp member of Pickert is not held against the first vacuum flange by any force or constraint. Thus, it cannot be said that portions of the first clamp member and the first vacuum flange of Pickert are engaged. Thus claims 15 and 17 should also be allowed for this reason.

D. Claim 21

The rejection of claim 21 is in error. Claim 21 includes a limitation of a lap joint circumferentially connecting two halves of the first clamp members with a fastening member. Pickert fails to disclose a lap joint circumferentially connecting two halves of the

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first clamp members with a fastening member. Thus, Pickert cannot be said to anticipate claim 21.

E. Claims 22-29

The Applicant respectfully submits that since claims 22-29 depend on independent claim 21, claims 22-29 contain all limitations of independent claim 21. Since independent claim 21 should be allowed, as argued above, pending dependent claims 22-29 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q. 2d 1596, 1608 (Fed. Cir. 1988).

F. Claims 24 and 26

Claims 24 and 26 depend from claim 21 and deserve to be allowed for at least the reasons that claim 13 should be allowed. Further, claim 24 is limited to a bead on the first clamp member that *engages* the groove on the first vacuum flange and claim 26 is limited to a bead on the second clamp member that *engages* the groove on the second vacuum flange. The elements of Pickert that the Examiner refers to as the bead (element 24) and the groove (element 15a) do not engage. The surfaces 24 define a circular cylindrical wall which bears against the outer peripheral surface 15b on swivel 15. Specifically, without coupling the first clamp member to a second clamp member or a body pad (see FIG. 1 of Pickert), the first clamp member of Pickert is not held against the first vacuum flange by any force or constraint. Thus, it cannot be said that portions of the first clamp member and the first vacuum flange of Pickert are engaged. Thus, claims 24 and 26 should also be allowed for this reason.

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G. Claim 30

The rejection of claim 30 is in error. Claim 30 includes a limitation of a fastening means circumferentially connecting two halves of the first clamping means. Pickert fails a fastening means circumferentially connecting two halves of the first clamp members. Thus, Pickert cannot be said to anticipate claim 30.

H. Claims 31-32

The Applicant respectfully submits that since claims 31-31 depend on independent claim 30, claims 31-32 contain all limitations of independent claim 30. Since independent claim 30 should be allowed, as argued above, pending dependent claims 31-32 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q. 2d 1596, 1608 (Fed. Cir. 1988).

II. Response to Drawings Objection

Replacement drawings sheets in compliance with 37 CFR 1.121(d) are attached per the Examiner's request in the Office Action of August 3, 2006. Therefore, the Applicant has addressed all drawing objections. Applicant respectfully submits the drawings objection is overcome by the attached corrections and respectfully requests that the Examiner withdraw the drawings objection.

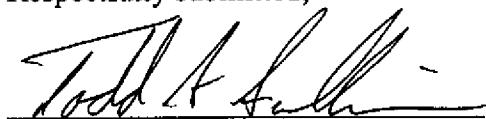
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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 13-32 are in condition for allowance. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. If in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (603) 668-1400.

Respectfully submitted,

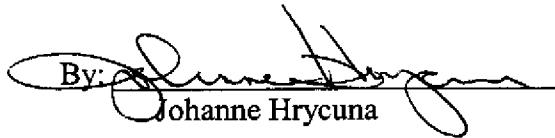


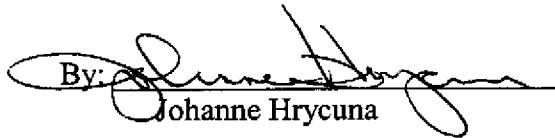
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